

BOOK REVIEWS

Studies in Jewish Thought, by DAVID S. SHAPIRO (New York: Yeshiva University Press, 1975).

Reviewed by
Bernard Rosensweig

Yeshiva University Press has gathered together twenty of David S. Shapiro's essays, which first appeared primarily in *TRADITION*, *Judaism* and in a number of *Festschriften*, and has published them as a volume in its Studies in Judaica Series. The first section covers some of his theological insights; the second section focuses on his Biblical studies; and the third provides us with some stimulating insights into such diverse personalities as Maimonides and Rav Kook, movements like Chabad, and concepts such as war and peace.

Dr. Shapiro is made in the mould of the late sainted Rabbi David Hoffman of the Hildesheimer Rabbinical Seminary in Berlin. Hoffman, who came from Hungary and started his scholarly career in Germany as a teacher for Rabbi Samson Raphael Hirsch in Frankfurt, was a kaleidoscopic personality whose multifaceted scholarship en-

hanced the totality of Jewish learning. His volume of *Responsa*, which was written in the classical tradition, established him as prominent *posek*. He made original contributions in the field of talmudic and midrashic research; and his devastating response to the challenge of Biblical criticism remained unanswered because it was "unanswerable." All of these accomplishments demonstrated how real scholarship, grounded in a thorough knowledge of Jewish sources, could provide genuine insights into Jewish literature and concepts, even as it provided a model for traditional Jewish scholars to emulate.

David Shapiro's scholarship reflects that tradition. He is a highly-regarded *talmid Chakham* — he is associate editor of *HADAROM* — and the collection of essays reflects the breadth and depth of his scholarly concerns. Like Rav Kook, who is the subject of one of his essays, Shapiro is deeply rooted in Jewish tradition and sources, and at the same time his outlook is truly uni-

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versal. In his essay on "Secular Studies and Judaism," Shapiro defines his position. He insists that it is legitimate for man to understand the world in which he lives, and that to deny man that right is, in effect, to rob him of one of his most precious prerogatives.

At the same time, Shapiro's intellectual honesty and scholarly objectivity lead him to consider sympathetically the stand of those Jewish thinkers who have rejected worldly learning as a valid enterprise for the believing Jew. He sees this attitude as the outgrowth of the relationship of the Jew to the world. On the one hand, the Jew has been destined from the beginning to live in the world in splendid isolation; on the other hand, the Jew's contact with the world over the centuries has been far from satisfying, and has left deep physical, spiritual and psychological wounds upon him, his personality and his outlook. Nonetheless, Rabbi Shapiro concludes, the Jew cannot free himself from his providential task and he is obligated to define his role and place in the world in positive terms.

Operating within this framework, Dr. Shapiro has made impressive contributions in a number of areas of Jewish scholarship. However, it is my strong feeling that his unique contribution to Jewish studies is in the field of Biblical scholarship. For reasons which remain obscure to me, Orthodox scholars have a tendency to shy away from serious Biblical studies. They may be afraid of becoming involved in the problems of Biblical criticism, as if the mere mention of the term or its

critical discussion stamps them as "blemished." Yet, it is precisely those scholars, who are steeped in real Jewish learning and who have a thorough understanding of the *Massorah*, who can respond to these challenges in the tradition of Hoffman. Ignoring a problem does not make it disappear.

In his essay on "The Prophets and Mosaic Law," Rabbi Shapiro discusses the inextricable relationship between the prophets and the Law of Moses. He rejects the evolutionary theory of Jewish history which the disciples of Wellhausen have advanced. The Graf-Wellhausen hypothesis involved not only a documentary hypothesis; it also propounded a theory of Biblical history which served to downgrade the uniqueness of the Torah and to assign monotheism to the age of the prophets.

Quite correctly, Shapiro asserts that in our century a dramatic change has taken place, and the archeological discoveries which have been made in the last generation have forced a new consensus upon the scholarly world. Archeology, despite its limitations, has led the overwhelming majority of Biblical scholars to conclude that the picture which the Pentateuchal text presents is historical, and that monotheism, far from being the end-product of an evolutionary process, emerged full-blown and unique at the very beginning of Jewish history.

Shapiro has added another scholarly weapon with which we are able to defend the uniqueness of the Torah — the literary method. He uses the literary method in order

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to investigate the relationship of the prophets to the Mosaic law; what emerges are linguistic similarities and a communality of ideas. Expressions and concepts which originate in the Mosaic law rise to the surface once more in the statements of the prophets — and Shapiro in characteristic scholarly fashion proves that they originated in the Mosaic books. The conclusion which we are able to draw is that the law of Moses and the prophets of Israel inherited the same world,

that the prophetic writings are deeply grounded in the Mosaic tradition, language and thought — even though they are not the originators of its ideals or the sources for its expression.

In the introduction to this volume David Shapiro tells us that these essays are “basically the result of a life-long quest to discover the essence of Judaism.” We can only be grateful that he has shared his conclusions with us.

Labor Legislation, In the Bible and Talmud, by I. H. WEISFELD (New York: Yeshiva University Press, 1975).

Reviewed by Sidney B. Hoenig

Selecting a schematic, rather than an historical, approach to the understanding of labor legislation, Israel H. Weisfeld stresses the moral and ethical values therein and portrays that “Jewish law confers special privileges upon the laborer”; yet the author is aware that the employed is not to be placed in “a situation of continued disadvantage.” His monograph does not include any research after 1943, despite its appearance in 1974. (His latest references are to works by Ch. Tschernowitz, 1943 and S. Feigen, 1943.) Apparently this essay, as printed, is a reproduction of a study made not much later than 1944. (Much has been added in research on labor legislation since then, as is evident in the bibliographic lists of Nahum Rakover in *Otzar ha-mishpat* and in Menachem

Elon's, *The Principles of Jewish Law vs. Labor*.)

A recent popular woman's magazine evaluating this brochure asserted: “This is the kind of informative well-written source book the average unscholarly Jew needs badly.” This may be so, but the intellectual layman may question the accuracy of many statements therein. The author's premise about labor having the upper hand is contradicted by the evaluation given by Dr. Samuel Belkin in *In His Image* (1960), p. 113:

It has been said that in relation to labor, rabbinic law is so advanced that it approaches the modern view which recognizes the right of a laborer to strike. Do not the Rabbis, basing themselves on this Mishnah, (B.M. 6:2; 77a) rule that an employee may retract even in the middle of the day? It is hardly necessary to point out the fallacy in this thinking, for the Mishnah extends the same privi-

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lege to the employer, thus protecting both employer and employee.

Biblical and rabbinic law, as a rule, are governed by the principle of equity: Ye shall do no unrighteousness in judgment; thou shalt not respect the person of the poor, nor favor the person of the mighty, but in righteousness shalt thou judge thy neighbor. The Torah does not favor the protection of any particular group, rich or poor, employer or employee. It extends equal rights to and demands justice for all.

In his monograph, Weisfeld also devotes three full chapters to "Slave and Servant." On page 28 he asserts: It was also considered mandatory to ransom slaves who had been captured. Rabbi (to be read correctly, Rabban) Simeon ben Gamaliel, asserting: Even as it is a *miswah* to ransom freeman, so is it a *miswah* to ransom slaves."

This statement is based on Mishnah Gittin 9:4 and the Gemara's explanation.

It is this that Weisfeld notes as exemplary. A study of the text,

however, will reveal that the explanation and reasoning is best amplified by the Tosefta on the same passage. (See Lieberman, *Tos. Gittin*, p. 255, Tosefta *Ki-Fshuta*, p. 829.)

The Tosefta explains that everyone, regardless of status, is to be redeemed, but this did not mean manumission of the slave. The crucial point, which Weisfeld missed, is in the phrase — *verabo noten damav* meaning that Rabban Simeon b. Gamaliel stressed that the *status of slavery was to continue even if the intent was to free the slave*. The ransomer may keep the slave unless the first master will compensate him for having ransomed the slave. One therefore cannot say that ransom meant freedom, i.e., release from slavery, as generally believed.

This monograph is commendable for its general collation but not for its specific interpretations. As an adult education guide-line its merit will not be denied.

The Russians, by HEDRICK SMITH (New York: Quadrangle Press, 1975).

Reviewed by Irving Spiegel

The years 1971-74 were years of upheaval and torment for Soviet Jews. Hundreds of thousands of Jews risked their lives by petitioning Soviet authorities for permission to emigrate to Israel and other Western countries. For the 100,000 Jews that left the U.S.S.R. the nightmare has ended; for those that

were refused visas the nightmare continues relentlessly.

Most Americans know very little about the everyday life of the Russian citizen. And except for recent visits to the Soviet Union by American Jews and Jewish writers little more is known about Russian Jews except their persecution. Hedrick Smith, Pulitzer-Prize winning correspondent of *The New York*

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Times, has distilled his three years of service (1971-74) as the newspaper's man in Moscow into a moving and intensely informative book, *The Russians*. So vivid are Smith's recollections, so arresting are his insights into the workings of the Soviet state that *The Russians* will be — for years to come — the book against all other accounts of life in the Soviet will be measured.

The author's description of life's uncertainties for the Jews of Russia — those yearning to leave and the ambivalence of those remaining — is both penetrating and sympathetic. The mystifying paradox of today's Russian Jew is difficult to explain. For the one tradition that the Russians have not changed has been anti-Semitism. From the time of the Czars to the present rulers of the Kremlin the Jew belonged to an unwanted tribal community and a convenient prop to blame for anything that went wrong. Yet the Soviet Jew of today finds pride and comfort in his identity as a Jew.

Smith writes of Roman Rutman, a middle-aged mathematician, who before his departure for Israel in 1973, learned "about Judaism backwards, piecing it together by reading between the atheistic attacks on religion."

"As a boy," Smith writes, "he had never been to a synagogue or church. It was almost impossible for someone to have Bible then (the Stalin years) . . ." Rutman was about twenty when he felt a "moral vacuum . . . a sense of something missing from life." Rutman confided to Smith that he "would read anti-religious literature to find out

about the Bible. I would read, for example — and this is very rough — about the flood in one place and about Noah in another place, and I put them together."

For Rutman synagogue attendance before emigrating was, at first, not for religious purposes but to maintain contact with other activists. On the eve of his departure for Israel a rabbi persuaded Rutman to don the prayer shawl.

"I found the Bible beautiful," he told Smith. "It's really poetry. Quite lovely." Thus Rutman began a serious study of Judaism to be able to teach its meaning to his son.

With journalistic and compassionate insights, Smith takes hold of the Russian Jews' loneliness and their isolation. He depicts a frugal canvas. That picture is not without serio-comic overtones.

"Strange as it may sound to Westerners," the author writes, "who quite properly agonize over the ordeals of many emigrating Soviet Jews, the Jew must paradoxically be counted among the privileged, for even as pariahs they have succeeded as no other Soviet ethnic group has in opening an opportunity for reaching the forbidden territories beyond the Soviet frontiers."

Smith projects the concept that the mood and character of Soviet Jewry remains elusive because even the mood and character of the emigration movement itself has evolved as it has passed through several generations of departing Jews. He explains this with incisive psychological, sociological and philosophical reasons.

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The author's indictment of the Kremlin for its overt racism directed against Jews, half Jews, quarter Jews and blaming them for the U.S.S.R.'s domestic and foreign troubles brings to mind Nordeu's assertion: "Let the earth tremble and the Jew is the first to feel the

shock."

"Let other people come that overflow a valley," wrote the late Charles Reznikoff, the poet, "leave dead bodies, uprooted trees, fields of sand — we Jews are as the dew on the grass, crushed underfoot today but here tomorrow."

REVIEWERS IN THIS ISSUE

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